

**STATEWIDE ENVIRONMENTAL SERVICES**  
**Clarifications and Responses to Written Questions**

	Submitted Written Questions	Responses and Clarifications
1.	General Clarification:	Questions of similar content or concern have been combined for response purposes.
2.	Please Clarify dates and days specified for interviews are incorrect.	The intended schedule for interviews of candidate Proposers reserves the following two dates: Tuesday, July 29, 2008, and Wednesday, July 30, 2008.  If you are assigning a calendar commitment for these events, please reserve full days. Appointments for interviews will not be determined nor scheduled until after July 24 <sup>th</sup> .
3.	a. Is there an initial budget for the first year?  b. Is the funding limited, or is there a funding cap each year?	a. The initial contract Maximum Liability will likely be set at \$2,000,000.  b. If during the course of the first contract year it is determined that the Maximum Liability is insufficient, then the amount may be revised by contract amendment. Otherwise, a contract amendment will be issued around the contract anniversary date that normally includes an increase to support projected services for the coming year. There is no established funding cap; however, funding sources are limited.
2.	Reference Introduction Section 1.5, Location of Offices:  Please clarify requirement for location of offices in Nashville	In terms of evaluating this proposal requirement, "Nashville" will be interpreted as Davidson County and all adjoining counties making up the Greater Nashville Metropolitan Area. The State reserves the right to evaluate more favorably a location having closer proximity to the RPA Tennessee Tower offices than a location further away.
3.	Please clarify transition of existing tasks with a new Environmental Services provider.	A definitive transition plan would be formulated once disposition of proposals is complete. Variables are just too many to attempt setting out a transition scheme or plan at this juncture.
4.	Please clarify expectations and/or requirements for abatement services.	Generally, abatement tasks under this contract are categorized as emergency abatement. That is, abatement as required to mitigate an immediate health and safety risk, or to remove a hazard that is impeding other associated work progress. Costs for prior abatement tasks have ranged from a few hundred to several hundred thousand dollars. The Proposer should demonstrate the capability to carry out a wide variety of such situations.

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5.	How will costs for equipment, products, disposal, etc., be accounted for in the cost proposal?	<p>These types of expenses are unique to each task assignment. There is no provision in the Cost Proposal for such task expenses.</p> <p>The State's task assignment process involves submission of a task proposal from the Contractor of time and cost in response to a request from the State. This proposal would include all task expenses inclusive of personnel cost.</p>
6.	<p>Reference Proposal and Evaluation Guide, Section B.4, presently committed project load:</p> <p>Will subcontractors listed in the Proposal be required to provide information on current project commitments with regards to workload?</p>	<p>The intent of this RFP is to allow a Proposer a range of options regarding the proper team organizational arrangement for provision of services. Whether as a single firm, a joint venture type partnership comprised of two or multiple firms, and/or any number of subcontractual arrangements in between.</p> <p>Providing information on subcontractor workload and project commitment is really a matter of the organizational make-up for delivery of services.</p> <p>If applicable, then it is important to inform the State of the percentage of overall task load responsibility (or role) for the various major team participants. Thus, it would be reasonable to demonstrate current contract commitments and workload information for major participants.</p>
7.	<p>Reference Section B.4:</p> <p>Are other teaming firms required to list project workload other than the Prime?</p>	See response to Item 6.
8.	<p>Reference RFP Introduction, Item 1.2.10, Information Management:?</p> <p>a. Please clarify the expected level of participation of IT requirement for the Contractors.</p> <p>b. Will IT program support to the Owner be a requirement of the overall program.</p> <p>c. If task information management, data compilation, and reporting is part of the program requirements, how is that history to be made available to the Owner?</p>	<p>a. The primary Information Technology responsibility for the Contractor would be project tracking, data tracking, and data management as it pertains to assigned tasks.</p> <p>b. Transfer of task data to the Owner as electronic media will be an expected function of the Contractor's standard services.</p> <p>c. The State's data management systems change from time to time, and formats or other requirements may occur during the five-year duration of this Contract. Project or task history and other data would be provided based upon the most current State systems.</p>

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9.	<p>Reference Section B.4:</p> <p>a. In a large firm of diverse professional practice areas, what is the State's requirement reporting an accurate picture of the workload?</p> <p>b. Is it appropriate only to address workload of the departments and proposed staff that will be doing the work?</p>	<p>a. The intent of B.4.a and B.4.b is to summarize contractual commitments for the entire firm in a simple listing.</p> <p>b. Discussions of workload commitments for proposed staff should be address as a component in response to Section C.3, which is the staffing plan.</p>
10.	<p>Reference Proposal and Evaluation Guide, Section B.6.2.c. regarding diversity:</p> <p>c. Please clarify "level of participation" in regard to the awarded Contract for this RFP.</p> <p>d. What is the requirement for diversity commitment in the Proposal, versus what actually occurs during the Contract?</p>	<p>a. Level of participation: This may be expressed as a percent of the total contract value that will be dedicated to business with task subcontractors and supply contractors having such ownership characteristics.</p> <p>b. The diversity commitment is defined or offered by the Proposer as an intended business process in response to the State's objectives. During the course of the Contract, task types and the State's workload, both of which will vary, will result in an actual profile and record of the diversity endeavor by the Contractor. That record may be incorporated into other reports and data compilation on the State's diversity program.</p>
11.	<p>Where one of a Proposer's subcontractors is proposed to perform significant work scope (greater than 25%), is there a requirement that they provide a Statement of Certification and Assurances and a Cost Proposal?</p>	<p>a. No. Only the Prime Proposer.</p>
12.	<p>Reference: RFP General Requirements, Section 4.7.2, which states that a subcontractor may only be <u>substituted</u> for a proposed subcontractor at the Owner's discretion and with prior written approval.</p> <p>a. Does this mean that the proposed subcontractors are considered approved by the State for the selected prime contractor?</p> <p>b. If so, what are the criteria for subcontractor approval the State uses?</p> <p>c. What are the Proposal submission requirements for subcontractors included in the prime's Proposal?</p>	<p>a. Refer to <i>RFP General Guidelines</i> Sections 4.7 Assignment and Subcontracting; 4.9 Right to Refuse Personnel; and, 6.6 Contractor Performance.</p> <p>b. Proper certifications and experience.</p> <p>c. Only include qualifications, experience, and type of technical function for subcontractors intended to perform a major percentage of work under the Prime.</p>

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13.	Reference: Cost Proposal: Is it mandatory to provide an proposed hourly rate for all Personnel Category Positions?	Yes. The Cost Proposal Format stipulates that each personnel category shall have proposed rates listed, or be considered non-responsive.
14.	Reference: Pro Forma Contract, Paragraph E.5, which addresses State Furnished property, and the requirements of the contractor in the use, maintenance, and protection of this property.  a. Will the Selected Prime Contract be provided with State Property?  b. If so, for what property or assets will the contractor be responsible?	a. No.  b. N/A
15.	Request for Proposal Section 1.5 states that the Successful Proposer as contractor is required to have a full time staff in Nashville, TN. Please clarify what is meant by this requirement.  a. Is Nashville, TN, meant to be the Snodgrass Tennessee Tower with facilities provided by the State's Dept. of Finance and Administration?  b. Is it meant to be the Corporate City limits of Nashville?  c. Is it meant to be the Nashville MSA?  d. Is some other corporate boundary intended or distance from the State Offices?	a. No.  b. No  c. Yes.  d. No.  Note: Provision of sufficient staff capable for full administration of the contract. (Also see response to Item No. 21 following.)
16.	Reference: General Business Requirement, Item A.6, requests a statement from the Proposer indicating whether the Proposer or ANY EMPLOYEE to the best of its knowledge have been convicted of, pled guilty to, or pled <i>nolo contendere</i> to any felony. For very large corporations this request is impossible to address for all employees. Will the State accept a statement that none of the Corporate Officers or the personnel proposed for this project has been convicted, pled guilty, or pled <i>nolo contendere</i> to any felony?	The requirement states "to the best of its knowledge."  These should pertain to the State or region of this Contract, and to the office out of which the Contract will be managed. And to personnel directly involved with any task or project assignment with the State.

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17.	<p>General Business Requirement A.7 requests a statement listing pending litigation. This requirement is similar to the Federal Security and Exchange Commission's 10 K Report Annual Financial Filings requirement to identify material legal proceedings that are pending against the public corporation and its subsidiaries alleging, among other things, breach of contract or tort in connection with the performance of professional services.</p> <p>Will the State except the Notes in our most recent annual 10K Report that identify these legal proceedings as adequate documentation to satisfy General Business Requirement A.7?</p>	<p>Please provide either: 1) your attorney's summary of outstanding or remaining issues of any litigation on the attorney's letterhead, or 2) simple review statements of recent or outstanding litigation.</p> <p>These should pertain to the State or region of this Contract, and to the office out of which the Contract will be managed.</p> <p>These summaries should be stated very simply as a brief statement.</p>
18.	<p>Reference: General Business Requirement A.8, which requests a statement of whether in the last 10 years, the Proposer has filed any Bankruptcy or insolvency proceeding, or undergone an appointment of a receiver.</p> <p>Does this requirement extend to a company acquired by the Proposer that underwent Bankruptcy proceedings, and emerged from them prior to the acquisition by the Proposer?</p>	<p>No. However, if the acquired company is intended to play a business role in satisfying the requirements of this Contract, then pertinent information should be provided.</p>
19.	<p>Reference: General Business Requirement A. 10, which requests the Proposer provide ratios covering the last three years calculated according to the generally accepted accounting principles Quick Ratio and Debt/Worth. Will the State accept the most recent Annual Report to Stockholders audited by Certified Public Accountants as compliance with this requirement?</p>	<p>Yes, as long as the three year period is covered in the submitted Annual Reports.</p>
20.	<p>Reference :Contract Approach, Item C.2, requests that the Proposer identify subcontractors qualified for environmental services that the Proposer intends to utilize in the fulfillment of the contract. Is the Proposer required to have executed teaming agreements with these subcontractors?</p>	<p>No.</p>

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21.	<p>Reference: Project Approach Item C.3 (a) paragraph 2, requests the Proposer's Contract Management Team include AT A MINIMUM, a Senior Project Manager, dedicated Nashville Staff, a Field Supervisor, and technical personnel.</p> <p>a. Does the State intend "all" technical personnel proposed for the contract to be considered part of the Contract Management Team?</p> <p>b. If not, please clarify the minimum membership for the Contract Management Team?</p>	<p>a. No.</p> <p>b. Contract management generally rests with senior individuals within a company, and includes project and personnel oversight, resolution of technical and project complications, as well as responsibility and accountability for budget and client relations.</p>
22.	<p>a. Is a Contract Bond required?</p> <p>b. If so, what amount?</p>	<p>a. No.</p> <p>b. N/A</p>
23.	<p>a. By what date do Client References need to be submitted to the State?</p> <p>b. Are Proposers to supply a list of clients requested to submit references, to assure receipt?</p>	<p>a. Client References are due by the due date for submission of Proposals.</p> <p>b. No list is required. Proposers should confirm if their clients have submitted references. The State is not involved in this process.</p>
24.	<p>a. Is it acceptable to list additional information in an appendix when it is pertinent or required, though the response may be lengthy?</p> <p>b. Is appendix information part of the 50-page limit?</p>	<p>a. Yes. However, provide the Evaluators with a clear reference to the location of the additional information.</p> <p>b. Refer to the Credentials Proposal section of the RFP, Section 3.2.5.</p>

**End of Responses to Submitted Questions and Requests for Clarification**